

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION**

ANTHONY SMITH,
Plaintiff

v.

CENTRA HEALTH, INC., *et al.*
Defendants.

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CASE NO. 6:20-cv-00016-NKM

PLAINTIFF'S AFFIRMATION

Plaintiff hereby affirms that expert testimony is unnecessary in this case. The alleged acts of negligence of : (i) allowing a delirious, post-surgical patient to wander from his post-operative recovery bed and to roam unsupervised throughout a hospital; and (ii) deploying security guards and other non-medical staff to subdue such a delirious post-operative patient by use of a Taser in a stairwell, clearly lie within the range of the jury's common knowledge and experience.

Notwithstanding this affirmation, an anesthesiologist confirms that such conduct is malpractice and also specifically stated that "anybody knows you don't let a post-operative patient leave a recovery room."

Respectfully submitted,

ANTHONY SMITH
By Counsel

By: /s/ M. Paul Valois
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CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of April, 2021, I electronically filed the foregoing Notice with the Clerk of this Court using the CM/ECF system, which will automatically send notice of this filing to all counsel of record.

/s/ M. Paul Valois